

AMENDED IN SENATE JUNE 14, 2000

AMENDED IN SENATE JUNE 13, 2000

AMENDED IN ASSEMBLY MAY 18, 1999

AMENDED IN ASSEMBLY APRIL 26, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 774

Introduced by Assembly Member Cardoza
(Principal coauthor: Senator Monteith)

February 24, 1999

An act to amend Section 65050 of the Government Code, and to ~~amend Sections 33492.51 and 33492.53~~ *repeal Article 2 (commencing with Section 33492.50) of Chapter 4.5 of Part 1 of Division 24* of the Health and Safety Code, relating to redevelopment.

LEGISLATIVE COUNSEL'S DIGEST

AB 774, as amended, Cardoza. Redevelopment Castle Air Force Base.

Existing law designates the Castle Joint Powers Authority as the local base reuse entity for Castle Air Force Base and creates the Castle Joint Powers Redevelopment Agency for redevelopment of the Castle Air Force Base project area.

This bill would designate instead the County of Merced as the local base reuse authority for Castle Air Force Base, and ~~substitute the County of Merced~~ *repeal the provisions of law creating and setting forth the powers of the Castle Joint*

Powers Redevelopment Agency as the redevelopment agency for the Castle Air Force Base project area.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 65050 of the Government Code
2 is amended to read:

3 65050. (a) As used in this article, the following
4 phrases have the following meanings:

5 (1) “Military base” means a military base that is
6 designated for closure or downward realignment
7 pursuant to the Defense Authorization Amendments and
8 Base Closure and Realignment Act (P.L. 100-526), the
9 Defense Base Closure and Realignment Act of 1990 (P.L.
10 101-510), or any subsequent closure or realignment
11 approved by the President of the United States without
12 objection by the Congress.

13 (2) “Effective date of a base closure” means the date
14 a base closure decision becomes final under the terms
15 specified by federal law. These decisions become final 45
16 legislative days after the date the federal Base Closure
17 Commission submits its recommendations to the
18 President, he or she approves those recommendations,
19 and the Congress does not disapprove those
20 recommendations or adjourns.

21 (b) It is not the intent of the Legislature in enacting
22 this section to preempt local planning efforts or to
23 supersede any existing or subsequent authority invested
24 in the Defense Conversion Council, as established by
25 Article 3.7 (commencing with Section 15346). It is the
26 intent of this article to provide a means of conflict
27 resolution.

28 (c) For the purposes of this article, a single local base
29 reuse entity shall be recognized pursuant to the
30 provisions of this section for each military base closure in
31 this state.

32 (d) The following entities or their successors,
33 including, but not limited to, separate airport or port



authorities, are recognized as the single local reuse entity for the military bases listed:

Military Base	Local Reuse Entity
George Air Force Base	Victor Valley Economic Development Authority
Hamilton Army Base	City of Novato
Mather Air Force Base	County of Sacramento
Norton Air Force Base	Inland Valley Development Authority
Presidio Army Base	City and County of San Francisco
Salton Sea Navy Base	Imperial County
Castle Air Force Base	County of Merced
Hunters Point Naval Annex	City and County of San Francisco
Long Beach Naval Station	City of Long Beach
MCAS Tustin	City of Tustin
Sacramento Army Depot	City of Sacramento
MCAS El Toro	Local redevelopment authority recognized by the United States Department of Economic Adjustment
March Air Force Base	March Joint Powers Authority
Mare Island Naval Shipyard	City of Vallejo
Naval Training Center, San Diego	City of San Diego
NS Treasure Island	City and County of San Francisco
NAS Alameda, San Francisco Bay Public Works Center, Alameda Naval Aviation Depot	Alameda Reuse and Redevelopment Authority
Oakland Navy Hospital	City of Oakland
Fort Ord Army Base	Fort Ord Reuse Authority

Any military base reuse authority created pursuant to Title 7.86 (commencing with Section 67800).

1 (e) For any military base that is closed and not listed
2 in subdivision (d), a single local reuse entity shall be
3 recognized for the base by the state if resolutions
4 acknowledging the entity as the single base reuse entity
5 are adopted by the affected county board of supervisors
6 and the city council of each city located wholly or partly
7 within the boundaries of a military base or having a
8 sphere of influence over any portion of the base and are
9 forwarded to the Defense Conversion Council and the
10 Office of Planning and Research within 60 days after the
11 effective date of a base closure decision or by March 1,
12 1995, whichever date is later.

13 (f) If the necessary resolutions are not adopted within
14 the time limit specified in subdivision (e), the Director of
15 the Office of Planning and Research may select a
16 mediator, from a list submitted by the Defense
17 Conversion Council containing no fewer than seven
18 recommendations, to reach agreement among the
19 affected jurisdictions on a single local reuse entity. In
20 selecting a mediator, the director shall appoint a neutral
21 person or persons, with experience in local land use issues,
22 to facilitate communication between the disputants and
23 assist them in reaching a mutually acceptable agreement.

24 (g) As a last resort, and only if no recognition is made
25 pursuant to the procedure specified in subdivisions (e)
26 and (f) within 120 days after a base closure decision has
27 become final or within 120 days after the date on which
28 this section becomes operative, whichever date is later,
29 the Defense Conversion Council, created pursuant to
30 Article 3.6 (commencing with Section 15346) of Chapter
31 1 of Part 6.7 of Division 3 of Title 2, shall hold public
32 hearings and recognize a single local base reuse entity for
33 each closing base for which agreement is reached among
34 the local jurisdictions with responsibility for complying
35 with Chapter 3 (commencing with Section 65100) and
36 Chapter 4 (commencing with Section 65800) on the base,
37 or recommend legislation or action by the local agency
38 formation commission if necessary to implement a
39 proposed recognition.



(h) In recognizing a single local reuse entity pursuant to this section, preference shall be given to existing entities and entities with responsibility for complying with Chapter 3 (commencing with Section 65100) and Chapter 4 (commencing with Section 65800).

(i) Any recognition of a single local reuse entity made pursuant to subdivision (e), (f), or (g) shall be submitted by the Director of the Office of Planning and Research to the Governor, the Legislature, and the United States Department of Defense.

~~SEC. 2. Section 33492.51 of the Health and Safety~~

~~SEC. 2. Article 2 (commencing with Section 33492.50) of Chapter 4.5 of Part 1 of Division 24 of the Health and Safety Code is repealed.~~

~~Code is amended to read:~~

~~33492.51. The County of Merced shall have all the powers, authorities, and duties granted to it under Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code and this part, except as modified by Section 33320.66 for the exclusive purpose of establishing the Castle Air Force Base project area within the unincorporated territory of the County of Merced.~~

~~SEC. 3. Section 33492.53 of the Health and Safety Code is amended to read:~~

~~33492.53. (a) In addition to the powers of any agency, the County of Merced also shall act as the legislative body and planning commission for all approvals and actions required and authorized by this part for the adoption and implementation of a redevelopment plan. However, all land use, planning and development decisions with regard to the land within the project area shall continue to be under the control and jurisdiction of each of the respective local legislative bodies or planning commissions, as applicable.~~

~~(b) In adopting a redevelopment project area for the area within the unincorporated territory of the County of Merced contained within the Castle Air Force Base, the following shall apply, subject to the requirements of Section 33492.13:~~

~~(1) The dollar limitation on the taxes that may be divided and allocated to the Castle Air Force Base project area shall be two hundred fifty million dollars (\$250,000,000).~~

~~(2) The limitation on the time within which the agency may commence eminent domain proceedings shall be 15 years.~~

~~(c) The County of Merced may amend the limitations enumerated in paragraph (1) of subdivision (b) pursuant to existing law.~~

~~(d) The County of Merced may defer up to 50 percent of its Low and Moderate Income Housing Fund requirements for the Castle Air Force Base project area for up to five years. The amount of the deferral shall be considered an indebtedness and shall be repaid to the Low and Moderate Income Housing Fund within eight years of the establishment of the Castle Air Force Base project area. If the indebtedness is not eliminated by the eighth year, the county auditor or controller shall withhold an amount equal to the indebtedness and deposit those moneys into a separate Low and Moderate Income Housing Fund for use by the County of Merced under this section.~~

~~(e) The agency shall comply with the requirements of Chapter 16 (commencing with Section 7260) of Division 4 of Title 1 of the Government Code. In addition, if any housing occupied by persons of very low, low, or moderate income who have resided in the housing for at least two years is destroyed by redevelopment agency activities, the displaced persons shall receive relocation benefits which enable those persons to lease or rent a comparable replacement dwelling for a period not to exceed 96 months.~~

~~(f) (1) The agency shall comply with the requirements of Section 33413.~~

~~(2) In addition, if any housing occupied by persons of very low, low, or moderate income is destroyed by redevelopment agency activities, the destroyed units shall be replaced with housing, of the same or greater size, which shall be affordable in direct proportion to the~~

1 ~~income levels of the persons or households displaced by~~
2 ~~the redevelopment agency activities. This housing shall~~
3 ~~be provided simultaneously with the development for~~
4 ~~which it was destroyed.~~

5 ~~(3) The requirements imposed by paragraph (2) shall~~
6 ~~not apply to any dormitory building that, as of January 1,~~
7 ~~1994, was located on Castle Air Force Base.~~

8 ~~(4) The requirements imposed by paragraph (2) shall~~
9 ~~not apply to the destruction of any housing if the vacancy~~
10 ~~rate for low-income housing within the jurisdiction of the~~
11 ~~County of Merced, as determined by the agency, is then~~
12 ~~6 percent or higher.~~

13 ~~(g) Notwithstanding Section 33320.65, the County of~~
14 ~~Merced may establish a project area and adopt and~~
15 ~~amend a redevelopment plan, as modified by subdivision~~
16 ~~(a) and other provisions of this chapter, if all of the~~
17 ~~following conditions are met:~~

18 ~~(1) The County of Merced makes a finding of benefit~~
19 ~~to the Castle Air Force Base project area, and the~~
20 ~~approval of the City of Merced and the City of Atwater~~
21 ~~is obtained.~~

22 ~~(2) The project area is contained entirely in two~~
23 ~~concentric circles, such that the center of one is directly~~
24 ~~in front of the main gate and has a radius of 4.75 miles, and~~
25 ~~the center of the second is at the intersection of Yosemite~~
26 ~~Avenue and G Street in the City of Merced with a radius~~
27 ~~of 6.5 miles. At no time shall the aggregate acreage of the~~
28 ~~project areas established pursuant to this section exceed~~
29 ~~2 percent of either city or 1 percent of the unincorporated~~
30 ~~area of the circles.~~

31 ~~(3) The resolution adopting a survey area pursuant to~~
32 ~~Section 33310 shall be transmitted to all affected entities,~~
33 ~~including affected school districts, within 30 days of~~
34 ~~adoption. The planning commission, in formulating the~~
35 ~~preliminary plan pursuant to Section 33330, shall consult~~
36 ~~with all affected taxing entities.~~

37 ~~(h) The County of Merced shall not adopt a~~
38 ~~redevelopment plan pursuant to this section until the~~
39 ~~City of Atwater adopts a housing element, pursuant to~~
40 ~~Section 65585 of the Government Code, that complies~~

1 ~~substantially with the requirements of Article 10.6~~
 2 ~~(commencing with Section 65580) of Chapter 3 of~~
 3 ~~Division 1 of Title 7 of the Government Code.~~

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5 CORRECTIONS
 6 **Heading — Line 1.**
 7 **Title — Line 1.**
 8 **Digest — Page 2.**
 9 **Text — Pages 3,4.**

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